

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of New Mexico

P.M. and C.T.,

Plaintiff

v.

DAVID C. YOUNG, et al.

Defendant

Civil Action No. 10-28 BB/RLP

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* DAVID C. YOUNG
c/o Kathy Levy
Assistant City Attorney
City Legal Department
1 Civic Plaza, 4th Floor
Albuquerque, NM 87103

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Mary Y.C. Han
Paul J. Kennedy
Kennedy & Han
201 12th Street N.W.
Albuquerque, N.M. 87102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: Tuesday, January 19, 2010

CLERK OF COURTES



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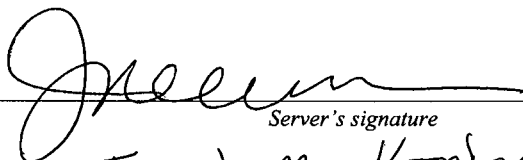
PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for *(name of individual and title, if any)* David C Young
was received by me on *(date)* Jan 27, 2010.☐ I personally served the summons on the individual at *(place)* _____on *(date)* _____ ; or☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or☒ I served the summons on *(name of individual)* Kathy Levy, who isdesignated by law to accept service of process on behalf of *(name of organization)* David Con *(date)* 01/26/10 ; or☐ I returned the summons unexecuted because _____ ; or☐ Other *(specify)*: _____My fees are \$ 20.00 for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____



Server's signature

JEAN M KERDOCK-LOCKE

Printed name and title

201 12th ST NW

Server's address

Additional information regarding attempted service, etc:

AIR NM 87102